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# Note verbale dated 1 October 2018 from the Permanent Mission of the Philippines to the United Nations addressed to the President of the General Assembly

The Permanent Mission of the Republic of the Philippines to the United Nations presents its compliments to the Office of the President of the General Assembly and has the honour to recall the decision of the Government of the Republic of the Philippines to present its candidature to the Human Rights Council for the period 2019–2021 for the elections to be held during the seventy-third session of the Assembly.

In accordance with General Assembly resolution 60/251, the Permanent Mission has the honour to present herewith the voluntary pledges and commitments of the Government of the Republic of the Philippines in support of its candidature (see annex). The Permanent Mission would be grateful if you could circulate the present note verbale and its annex as a document of the General Assembly, under agenda item 116 (d).

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## Annex to the note verbale dated 1 October 2018 from the Permanent Mission of the Philippines to the United Nations addressed to the President of the General Assembly

## Candidature of the Philippines to the Human Rights Council, 2019–2021

**Voluntary pledges and commitments pursuant to General Assembly resolution 60/251**

### I. Aide memoire for the candidature of the Republic of the Philippines to the Human Rights Council

1. The Philippines presents its candidature for a fifth term at the Human Rights Council since its establishment in 2006. The decision to seek a new term is based on its faith in fundamental human rights and the country's support for the inclusive work of the Council in the fulfilment of human rights of all peoples.

2. The Philippines reaffirms its belief that, amid the changes and challenges happening around the world, every human being can always find recourse in the constancy of human rights and mankind's unwavering efforts to realize them.

### II. Strong tradition in the Philippines of human rights and advocacy of human rights at the regional and global levels

3. The Government of the Philippines attaches the utmost importance to the promotion, protection and fulfilment of human rights. Its strong legal and cultural tradition in upholding human rights is enshrined in the Constitution. Human rights principles have underpinned the development of its laws and policies.

4. Under the Constitution of the Philippines, it is a State policy to value the dignity of every human person and to guarantee the full respect of human rights. The Constitution includes a bill of rights that protects civil and political rights and a standalone article on social justice and human rights that comprises economic, social and cultural rights.

5. The Philippines has an independent Commission on Human Rights, the country's national human rights institution. The country provides a vibrant environment for its citizens to fully enjoy freedom of speech and freedom of the press, and for human rights defenders and civil society to participate meaningfully in nation-building.

6. In the executive branch of the Government, the Presidential Human Rights Committee under the Office of the President coordinates the implementation of international human rights treaty obligations and national policies and programmes on human rights. In Congress, both the Senate and the House of Representatives have active human rights committees, which also act as oversight legislative bodies for the implementation of human rights obligations of the Government of the Philippines.

7. The Philippines is one of the original signatories of the Universal Declaration of Human Rights. It made a lasting contribution to the drafting of the Declaration, particularly on articles on the equal dignity and freedom of all human beings and non-discrimination. It will continue to promote and respect the Universal Declaration of Human Rights as the foundation document for human rights.

8. The Philippines is a State party to eight core international human rights conventions and six optional protocols.

9. The Philippines is an original member of the Human Rights Council.[1] It currently serves as one of the Vice Presidents of the Human Rights Council Bureau representing the Asia Pacific group.

10. The Philippines believes that the Human Rights Council should be a partner of States and stakeholders in the promotion and protection of human rights by providing a venue for genuine constructive dialogue. Its strong focus on capacity-building, technical assistance and international cooperation on human rights must be further enhanced.

## III. Achievements of the Philippines in the field of human rights

11. The Philippines is recognized globally for its leading position in the Global Gender Gap Index and in the Migration Governance Index.

12. The Government has enacted landmark legislation and programmes to further promote, protect and fulfil human rights and reinforce its domestic legal framework and has supported actively the global agenda on human rights issues, through the items below.

*Family, women children and young people*

- The Magna Carta of Women, RA 9710 (2009) establishes the commitment of the Government of the Philippines to the Convention on the Elimination of All Forms of Discrimination against Women
- The Responsible Parenthood and Reproductive Health Act, RA 10354 (2012) provides for universal access to reproductive health-care services
- The Children's Emergency Relief and Protection Act, RA 10821 (May 2016), provides support for children and pregnant and lactating mothers in emergency situations for recovery and protection against all forms of exploitation and acts prejudicial to their interest, survival, development and well-being
- The Government has established 1,918 women and children helpdesks operated by 4,573 personnel in police stations nationwide (as of 2017)
- Administrative Order 2013*0011 enhances the policy on women and children protection units in all government hospitals
- The Foster Care Act, RA 10165 (2012), established a foster care programme to facilitate the return and reintegration or placement with an adoptive family
- The Cybercrime Prevention Act, RA 10175 (2012), aimed to prevent and combat crime by facilitating detection, investigation and prosecution
- The Domestic Workers Act, RA 10361 (2013), in pursuance of the International Labour Organization (ILO) decent work agenda, establishes standards, social protections and policies against abuse, harassment, violence, economic exploitation and the performance of work that is hazardous to their physical and mental health; ensures safe end healthful working conditions; and promotes gender-sensitive measures in the formulation and implementation of policies and programmes affecting the local domestic work

[1] During the first year of the establishment of the Council, the Philippines facilitated negotiations on the methods of work and rules of procedure, producing an important segment of the Council's institution-building package, as annexed to Human Rights Council resolution 5/1.

- The Anti-Bullying Act, RA 10627 (2013), requires all elementary and secondary schools to adopt policies to prevent and address the acts of bullying in their institutions
- The Strengthened Juvenile Justice and Welfare Law, RA 10630 (2013), amends RA 9344 and establishes a comprehensive juvenile justice and welfare system; it creates the Juvenile Justice and Welfare Council under the Department of Social Welfare and Development
- The Anti-Drunk and Drugged Driving Act, RA 10586 (2013), penalizes the acts of driving under the influence of alcohol, dangerous drugs or other intoxicating substances
- The Act declaring November of every year as National Children's Month, RA 10661 (2015), commemorates the adoption of the Convention on the Rights of the Child
- The Act Providing for the Safety of Children Aboard Motorcycles, RA 10666 (2015), pursues a preventive approach to secure the safety of passengers, especially children, by regulating the operation of motorcycles along roads and highways

*Persons with disabilities and older persons*

- The Expanded Senior Citizens Act of 2010, RA 9994 (2010), established community-based health and rehabilitation programmes for senior citizens in every political unit and mandatory health insurance coverage for all senior citizens
- The Magna Carta for Persons with Disabilities, RA 7277 (1991), and RA 10524 (2013) amending the same, further amended and expanded by RA 10754 (2016), which together provide for positions in government agencies for persons with disabilities and expand benefits and privileges, such as discounts on certain goods and services

*Migration*

- Leadership in platforms for dialogue and cooperation on migration governance at the United Nations, the International Organization for Migration (IOM), the Global Forum on Migration and Development, the Colombo Process and the Bali Process as well as the negotiations on the Global Compact for Migration
- Enhancement of government response to distressed Filipinos abroad by strengthening national mechanisms, such as the Assistance-to-Nationals Fund and the Legal Assistance Fund administered by the Department of Foreign Affairs
- Association of Southeast Asian Nations (ASEAN) Consensus on the Protection and Promotion of the Rights of Migrant Workers; as chair of ASEAN in 2017 the Philippines led the establishment of a framework for cooperation to promote and protect the rights of migrant workers in the ASEAN region
- Establishment of the Overseas Filipino Bank, through Executive Order 44, to provide financial products and services tailored to the requirements of overseas Filipinos
- Advocates for universal access for social protections and health-care services for all, regardless of migration status, through bilateral, regional and global platforms, including IOM, ILO and the World Health Organization

- The Act Amending the RA 8042 or the Migrant Workers and Overseas Filipinos Act of 1995, RA 10022 (2009), was enacted to further improve the standard of protection and promotion of the welfare of migrant workers, their families and overseas Filipinos in distress. Among the new provisions in RA 10022 included: (a) commitments to the continuous monitoring of international conventions and to become a signatory to and to ratify those instruments that guarantee the protection to our migrant workers, and to endeavour to enter into bilateral agreements with countries hosting overseas Filipino workers (Sec. 1, Par. A); (b) the provision that free access to courts and quasi-judicial bodies and adequate legal assistance should not be denied to any person by reason of poverty and that it is imperative to institute an effective mechanism to ensure that the rights and interest of distressed overseas Filipinos, in general, and Filipino migrant workers, in particular, whether regular/documented or irregular/undocumented, are adequately protected and safeguarded (Sec. 1, Par. E), in skills development and enhancement programmes; and (c) the State recognition of trade unions, workers associations, stakeholders and their similar entities as partners of the State in the protection of Filipino migrant workers and in the promotion of their welfare (Sec. 1, Par. H), among others

*Human security*

- The Anti-Enforced or Involuntary Disappearance Act of 2012, RA 10353 (2012), institutionalizes the right against enforced or involuntary disappearance under any circumstance, including political instability, threat of war, state of war or other public emergencies
- The Human Rights Victims Reparation and Recognition Act of 2013, RA 10368 (2013), provides for the reparation and recognition of victims of human rights violations during the martial law regime of former Philippine President Ferdinand Marcos
- The Expanded Anti-Trafficking in Persons Act, RA 10364 (2013), implementing commitments under the United Nations Convention against Transnational Organized Crime, including its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children
- The establishment of an inter-agency committee on extralegal killings, enforced disappearances, torture and other grave violations of the right to life, liberty and security of persons, which coordinates with concerned agencies to act on allegations of such violations (Administrative Order 35 (2012))
- The establishment of the Presidential Task Force on Media Security through Administrative Order 1 (2016) to investigate and prosecute media killings
- The establishment of the Inter-Agency Committee on Anti-Illegal Drugs (2016)

*Education, health, social services and labour*

- Enhanced Basic Education Act of 2013, RA 10533, strengthens the curriculum of basic education; and alternative delivery modes of education to ensure children's access to education, implementing the commitment by UNESCO to education for all, further expanded in 2017 for both elementary and secondary education
- Signatory to all eight fundamental ILO Conventions, such as the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Abolition of Forced Labour Convention, 1957 (No. 105), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) and the Worst Forms of Child Labour Convention, 1999 (No. 182).

- Social services include the Expanded Cash Transfer Programme to support access to education and health for over four million marginalized families
- The *Go Negosyo* (do business) Act, RA 10644 (2014), enhances the income potentials of poor individuals and families through micro, small and medium enterprises
- Policies and laws are under consideration to affirm workers' constitutional and statutory right to security of tenure
- The Mental Health Act, RA 11036 (2018), provides universal access to affordable mental health services for all
- PHP 1 billion has been invested for the *Libreng Gamot Para Sa Masa* (free medicines for the people) programme
- PHP 1 billion has been invested for the BANGUN anti-hunger and anti-malnutrition programme for the Autonomous Region in Muslim Mindanao
- The Tax Reform for Acceleration and Inclusion, as part of the comprehensive tax reform programme envisioned by the Government to correct deficiencies in the tax system to make for a fairer and efficient system and enable the poor to benefit more from government programmes and services
- Housing and resettlement assistance
- Milk-feeding programme
- Alternative Delivery Modes of education to ensure children's access to education
- The *Abot-Alam* (learning outreach) programme to reach to underserved communities
- Executive Order No. 2, on operationalizing in the executive branch the people's constitutional right to information and the State policies to full public disclosure and transparency in public service

*Indigenous peoples*

- The Indigenous People's Rights Act of 1997, RA 8371, upholds diversity by creating a national commission for indigenous peoples, specifically mandated to protect and promote the interest and well-being of indigenous peoples with due regard to their beliefs, customs, traditions and institutions, and by mainstreaming the rights of indigenous peoples in all sectors
- The Philippine Indigenous People's Ethnography programme completed the titling of all remaining ancestral domains/lands, including a census on the indigenous population and their housing
- Twelve indigenous people's regional action plans and a national action plan have been introduced under the Philippine Indigenous People's Ethnography programme
- Programmes have been introduced to enhance indigenous peoples' access to education, health and other public services specifically for indigenous peoples living in mining areas and those affected by calamities

*Environment and climate action*

- Leadership in climate change discourse, such as through the Climate Vulnerable Forums and in the advocacy for a human rights-based approach to climate action

in the Paris Agreement, and for a high-ambition agenda to limit the temperature increase to 1.5 degrees Celsius above pre-industrial levels

- The Philippine Disaster Risk Reduction and Management Act of 2010, RA 10121, among other provisions, ensures that disaster risk reduction and climate change measures are gender responsive, sensitive to indigenous knowledge systems and respectful of human rights
- Implementation of the Philippine Clean Air Act, RA 8749 (1999), and establishment of 31 water quality management facilities and 9,725 materials recovery facilities
- Establishment of the National Anti-Illegal Logging Task Force, created by Executive Order 23 (2011)
- Implementation of National Greening Programme, expanded by Executive Order 193 (2015), and augmented by the 2016–2028 Master Plan for Forestry Development
- Implementation of the Sustainable Coral Reef Management Programme (2013–2020) through Department of Environment and Natural Resources Administrative Order 2013-12

*Fully functional national human rights institution*

- The Commission on Human Rights — an independent national human rights institution provided for by the 1987 Constitution of the Philippines and established on 5 May 1987 by virtue of Executive Order No. 163 — is mandated to conduct investigations on human rights violations against marginalized and vulnerable sectors of the society, involving civil and political rights. The Commission complies fully with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and upholds six fundamental characteristics: independence, pluralism, a broad mandate, transparency, accessibility and operational efficiency.

## IV. Mainstreaming human rights in the national agenda

13. The Philippines is finalizing its new medium-term five-year National Human Rights Plan (2018–2023), which will continue to mainstream human rights in society. The Plan covers the courses of action of the Government of the Philippines in line with its commitments under the Constitution, domestic laws and international human rights treaties to which it is a State party. It was crafted in consultation with various government agencies and other stakeholders under the supervision of the Presidential Human Rights Committee, an inter-agency body chaired by the Office of the President.

14. The Philippines has mainstreamed human rights in the development of policies, plans and programmes through its national medium-term development plans, the Philippine Development Plans and its long-term development plan, *AmBisyon Natin 2040* ("Our Vision 2040"), which is the blueprint of the Government's economic and social growth agenda that is fully aligned with Agenda 2030 Sustainable Development Goals. The blueprint aims to transform the Philippines as an upper-middle income country and improve the lives and welfare of Filipinos. The Plans incorporate human rights as a cross-cutting agenda and the human rights-based approach to development remains as one of their main guiding principles.

15. The Philippines has continued to prioritize the promotion of economic, social and cultural rights through its continued efforts to eradicate extreme poverty and the strengthening of good governance, with the focused implementation of anti-corruption measures.

16. Based on a development policy framework focused on improving transparency and accountability in governance, improving access to quality social services, enhancing peace and security for development and ensuring ecological integrity, the Government of the Philippines is investing its resources in its people, aiming to improve their quality of life, empower the poor and marginalized and enhance social cohesion as a nation.

17. The Philippines welcomes consultations with civil society at both the national and international levels on human rights issues, especially in the formulation of relevant legislation, policies and programmes, and engages civil society partners in regional and international forums.

## V. Contributions to international initiatives on the promotion and protection of human rights and support to the Office of the United Nations High Commissioner for Human Rights (OHCHR)

18. As the main sponsor of General Assembly and Human Rights Council resolutions on combating trafficking in persons, especially women and children, the Philippines is engaged actively in pushing for stronger normative frameworks and better international collaboration to fight the scourge of trafficking in persons.

19. The Philippines also continues to work with partner countries to ensure that the issue of the adverse impact of climate change on the realization of human rights remains at the forefront of discussions at the Human Rights Council. The Philippines continues to be the lead core sponsor of the annual resolution of the Council on human rights and climate change.

20. The Philippines is also a member of the Platform on Human Rights Education and Training that co-sponsors the Human Rights Council resolutions on the implementation of the World Programme for Human Rights Education.

21. The Philippines is likewise a member of the core sponsors of the resolutions of the Human Rights Council on young people, extreme poverty and the role of parliamentarians in the universal periodic review.

22. Consistent with its belief that the protection of the human rights of the most vulnerable should remain the priority of the Human Rights Council, the Philippines consistently co-sponsors initiatives on issues involving the promotion and protection of the human rights of migrants, children, women, indigenous peoples, persons with disabilities and older persons.

23. Cognizant of its role in the international community and the protection of human rights of the most vulnerable, the Philippines takes pride in its efforts in implementing the Convention on the Status of Refugees and the Protocol relating to the Status of Refugees, and its history of opening its doors to refugees and asylum seekers. The Philippines has an established system for refugee and stateless status determination, provides travel documents to recognized persons of concern and offers an emergency transit mechanism in cooperation with the Office of the United Nations High Commissioner for Refugees.

24. The Philippines also supports the initiatives of OHCHR related to the protection of the human rights of migrants at international borders in its principles and guidelines on human rights for migrants in vulnerable situations.

## VI. Pledges and commitments

25. If re-elected to the Human Rights Council, the Philippines reiterates its commitment:

(a) To work with all States and stakeholders in a constructive manner and foster dialogue and cooperation to make the Human Rights Council more efficient and effective as the primary body of the United Nations mandated to strengthen the promotion and protection of human rights, and to address human rights violations;

(b) To continue to focus on bridging national, regional and international human rights goals, standards and strategies;

(c) To continue to enhance domestic implementation of all human rights treaty obligations and programmes, especially with regard to the eradication of extreme poverty, respect for the rule of law and fulfilment of internationally agreed development goals;

(d) To continue to be a voice for vulnerable groups, including migrants, women and children, indigenous peoples, persons with disabilities and older persons, and support human rights-based approaches that address their concerns in a comprehensive, positive and practical way;

(e) To continue to be sensitive to current and emerging challenges that impact on human rights, such as climate change, human trafficking, terrorism and human mobility;

(f) To continue to engage actively with the human rights treaty bodies, special procedures and other mechanisms of the Human Rights Council;

(g) To continue to uphold the universality of the universal periodic review, recognizing its potential to effect real changes on the ground through constructive dialogue and international cooperation;

(h) To continue efforts to promote the efficiency of the Human Rights Council, wherein it currently has a leadership role as one of the Vice Presidents of the Human Rights Council Bureau, and the Permanent Representative of the Philippines to the United Nations in Geneva serves as one of the co-facilitators. The contributions of the Philippines in this regard will hopefully result in a more streamlined and responsive Council able to fully serve its constituents and achieve the noble goal of promoting human rights for all;

(i) To continue to support the important work of national human rights institutions;

(j) To continue to engage in and promote meaningful interaction and cooperation with civil society organizations and other stakeholders on human rights issues, both at the national and international levels;

(k) To continue to promote international initiatives on human rights, such as those on climate change, migration, combating trafficking in persons, human rights education and training, protection of the rights of the child in migration, refugee and other contexts of vulnerability and the realization of the right to development, and to work closely with and support the OHCHR in this regard;

(l) To remain actively engaged in regional human rights mechanisms and support efforts to enhance the promotion and protection of human rights in the ASEAN region.